

A Short Explanation on the Statements of Ibn Abbaas and Other Than Him from the Salaf

The narration from Ibn Abbaas, which is used by those who usually conclude that Ayaah **“And whosoever does not judge by what Allâh has revealed, such are the Kâfirûn”** indicates Kufr Al-Asghar, is the following, which can be found in many of the books of Tafseer and Hadeeth in reference to this Ayaah:

Narrated by Al-Haakim, from the path of Hishaam bin Hujaayr and Tawoos who said, “Ibn Abbas, May Allaah be pleased with him, said, “It is not the Kufr you are taking it to. It is not Kufr, which takes one outside the Milla (i.e. the realm of Islaam). **“And whosoever does not judge by what Allâh has revealed, such are the Kâfirûn.”** It is Kufr dun Kufr (i.e. Kufr less than Kufr).¹

Also, it was narrated by Ibn Abee Hatim as mentioned by Ibn Katheer, from the path of Hishaam bin Hujaayr from Tawoos from Ibn Abbas about Allah’s saying: **“And whosoever does not judge by what Allâh has revealed, such are the Kâfirûn...”** He (i.e. Ibn Abbaas said, “It is not the Kufr you are taking it to.”²

And the truth of the matter is that Hishaam bin Hujaayr has been declared Dha’eef by Ahmad and Yahya bin Ma’een and others.³ And Ibn Adee mentioned him among the Dha’eef narrators.⁵ And Al-Uqaalee said about him ⁴ as well as Abu Haatim, “His Hadeeth should be written (i.e. indicating that they did not accept from Hishaam bin Hujaayr unless his Hadeeth were recorded elsewhere). ⁶

So clearly these two narrations cannot be used as evidence due to their obvious weakness.⁷ And they cannot give this Ayaah a meaning, which would indicate that the Kufr mentioned is anything less than the clear Kufr Al-Akbaar.

Also, Ibn Jareer narrated from the path of ‘Alee bin Abee Talha from Ibn Abbas who said, “Whoever rejects what Allaah revealed has disbelieved and whoever approves of it but does not rule by it, then he is a Dhaalim/Fasiq.”⁸

And this is another narration from Ibn Abbaas, which is used to show that the Kufr in the aforementioned Ayaah is Kufr Al-Asgaar. And it is also one of the reasons why they say that the ruler who does not make his ‘Ruling by Other Than What Allaah Revealed’ to be Halaal and who does not reject what Allaah revealed clearly upon his tongue, does not disbelieve.

However, again, this narration is Dha’eef because it is Munqaatee (i.e. cut off). And this is because ‘Alee bin Abee Talha did not hear from Ibn Abbas as it has been mentioned in “Tah’theeb At-Tah’theeb.”⁹

Also, Ibn Jareer reported, “Narrated to me, Hunaad and narrated to me, Ibnu Wakee’ah who said, ‘Narrated to me, my father from Sufyaan from Mu’amr Ibnu Rashaad from Ibn Tawoos from his father from Ibn Abbas, **“And whosoever does not judge by what Allâh has revealed, such are the Kâfirûn.”** In it there is Kufr but not Kufr in His Angels and His Books and His Messengers.”¹⁰

This narration’s Sanaad (i.e. chain) is Saheeh. Its men are from the Six Books ¹¹ except for Hunaad and Ibnu Wakee’ah. As for Hunaad, he is Al-Siree the Hafidh, the Imaam, and the group (i.e. the six main collectors) narrated from him all except for Bukhaaree. ¹²

And as for Ibnu Wakee'ah, he is Sufyaan bin Wakee'ah bin Al-Jaraah. Al-Hafidh Ibn Hajr said about him, "He was a truthful person except that he was tested through his scrolls (i.e. his transcribed chains of Hadeeth). So he had entered upon them, what was not from his Hadeeth (i.e. mistakes and errors). So they were not accepted and his Hadeeth fell." 13

And this is not too important here because Hunaad takes his place in the same narration here as well.14

Wakee'ah said "Narrated to me by Al-Hasan bin Abee Ar-Rabee. Ar-Jarjaanee who said, 'I was informed by Abdur-Razaaq from Mu'amr from Ibn Tawoos from his father who said, 'Ibn Abbas was asked about His saying: **"And whosoever does not judge by what Allâh has revealed, such are the Kâfirûn."** He said, **'This is sufficient for his Kufr.'**"15

This is a Saheeh Sanaad to Ibn Abbas, may Allaah be pleased with him. Its men are all man of the Saheeh (i.e. in Bukhaaree and Muslim), except for the Shaykh of Wakee'ah, Al-Hasan bin Abee Ar-Jarjaanee and he is Ibn Al-Ja'ad Al-Abdee. But Ibn Abee Hatim says, 'I heard from him with my father and he is a truthful person.' And Ibn Hibban mentioned him in "Ath-Thuqaat".16 and Al-Hafidh Ibn Hajr said, "He is truthful." 17

So what is clear from the above is that Ibn Abbaas held the meaning of the Ayaah:

"And whosoever does not judge by what Allâh has revealed, such are the Kâfirûn."

This is Kufr Al-Akbaar and this is clear from his saying, "This is sufficient for his Kufr."

And regarding the statements of Ibn Abbaas in this matter, Shaykh Sulaymaan Al-Ulwaan, may Allaah preserve him said, "What has reached us from Ibn Abbaas from his saying, "Kufr dun Kufr" is not reliable. It is narrated by Al-Haakim in his "Mustaadraq" (Vol. 2/313) by the way of Hishaam bin Hujaayr on the authority of Tawoos who heard it from Ibn Abbaas. However, Hishaam is declared Dha'eef by Yahya bin Ma'een and Imaam Ahmad bin Hanbal. On the other hand it is narrated to us from Abdur-Razaaq in his Tafseer on the authority of Mu'aamr who heard from Ibn Tawoos that his father said he asked Ibn Abbaas about Allaah's saying, **"And whosoever does not judge by what Allâh has revealed, such are the Kâfirûn."** Ibn Abbas said it was Kufr and this is what is preserved from Ibn Abbaas. Showing that there is no doubt about this Ayaah, and proving that what is meant by this disbelief is Kufr Al-Akbaar. So how can some claim Islaam when they put aside and substitute the Sharee'ah, and make alliances with the Jews and Christians and imitate them?

As for what is narrated by Ibn Jareer in his Tafseer on the authority of Ibn Abbaas who said, '...It is not like the one who disbelieves in Allaah and the last day...'; what is meant here does not mean that 'Ruling by Other Than What Allaah Revealed' is Kufr dun Kufr.

Whoever says it does mean this, then it is upon him to bring his proof and evidence to substantiate his allegation. It is clear from Ibn Abbaas words that Kufr Al Akbaar is of different classifications, and some forms are more severe than others. For example, the Kufr of the one who doesn't believe in Allaah and the Last Day is more extreme than the Haakim who doesn't rule by what Allaah revealed. It is clear that the Kufr of the Haakim who 'Rules by Other Than What Allaah Revealed' is less severe than the one who doesn't even believe in Allaah and the Last Day. Still, we cannot say that this Haakim remains a Muslim and that his ruling is simply Kufr Al-Asgaar. We say he has left the religion because of his putting aside and removal of the Sharee'ah, and according to Ibn Katheer, there is Ijmaa'

about this. See “Al-Bidaayah Wa-Nihaayah” (Vol. 13/119).”¹⁹

And what makes it even clearer that Ibn Abbaas, may Allaah be pleased with him, held the meaning of the aforementioned Ayaah upon Kufr Al-Akbaar, is the fact that he narrated the following: “...By Allaah they were revealed with regards to these two (Jewish tribes), and it was these two that Allaah, aza wa jal meant (in these verses).” **20**

So if these Ayaat in Surat Al-Ma'idah were revealed for the Jews, who obviously disbelieved in Islaam, then Ibn Abbaas would not have held these Ayaat upon Kufr Al-Asgaar because it is clear that they were Kufaar and no one disputes this. So obviously Ibn Abbaas would hold these Ayaat upon the meaning, which expels one outside the realm of Islaam, because of the Kufr of the Jews. So if we are to find authentic instances in which Ibn Abbaas held these Ayaat upon Kufr Al-Asgaar, then we must determine whom he was holding their meaning upon less than Al-Akbaar. And it must be understood that these instances would not be the 'Usl of the meaning of these Ayaat, rather Ibn Abbaas and others would be referring to a specific group whom he did not hold as disbelievers.

And also, what indicates the meaning of the 'Usl of this Ayaah is upon Kufr Al-Akbaar, is its linguistic meaning in the Arabic language:

“And whosoever does not judge by what Allâh has revealed, such are the Kâfirûn.”

What we see in this Ayaah is that Allaah prefaced the word: **“Kâfirûn”** with the two letters: **Ā** ('Alif) **and â** (Lam) which makes the word: **“the Kâfirûn”**. And it is known from the rules of the Arabic language that the word Kufr may have two meanings to it; either Kufr Al-Akbaar or Kufr Al-Asgaar. But when this word Kufr is attached with the 'Alif and the Lam, it takes on the meaning of “The Kufr”, which can only take the meaning of Kufr Al-Akbaar.

As Ibn Taymiyah said, “There is a difference between Al-Kufr, which comes attached with 'Alif Lam, as in the Prophet's saying, 'There is nothing between the slave and Al-Kufr or Al-Shirk, except abandoning the Salaat', and between Kufr which is not attached with Alif Lam.”²¹

And as 'Allaamah Muhammad Ibn Ibraheem said, “It is impossible for Allaah to call someone a Kaafir for 'Ruling by Other Than What Allaah Revealed' and then for them not to be a Kaafir.”²²

But we do not understand this Ayaah strictly from the point of view of language and we do not include all of what the Ayaah can imply based upon the rules of language alone; rather we look to the reason for which it was revealed. And it is quite clear from what has passed that the Ayaah is only held upon its 'Usl of Kufr Al-Akbaar in the case where the laws from the Sharee'ah itself have been replaced or changed, and although the case of a judge who 'Rules by Other Than What Allaah Revealed' in a particular instance due to his desires or whims etc., is from the greatest of sins, we do not hold this equal with the Haakim who replaces and abolishes the entire Sharee'ah or even specific laws from Allaah's Hukm. And this is re-enforced by the reason the Ayaat came down in the first place:

Ibn Jareer At-Tabaree said, “He ta'ala says, **whoever conceals the Hukm of Allaah,**

which He revealed in His Book and made it a law between the slaves - so he hides it and rules with other than it like the Hukm of the Jews concerning the married fornicators with whipping of the guilty and blackening their faces and concealing the Hukm of stoning and like

their judging upon some of their murdered with full blood-money and some with half of their blood-money. And concerning the noble people, they would have Qisaas but the commoner would only get the blood money. But Allaah made all of them equal in the Tauraat: ...**such are the Kâfirûn**. They are the ones who concealed the truth, which was upon them to uncover and make clear. **And they hid it from the people and they showed something different to the people and they judged according to that (i.e. the changed Hukm) because of a bribe they took from them.**"²³

So the Ayaah was revealed for these Jews who had replaced Allaah's Hukm with their own fabricated Hukm. And they ruled with that Hukm generally for the commoner and this ruling was not in specific instances and this is the reason why we make the distinction in this matter.

Although Ibn Jareer narrated several reports from the Salaaf, which indicate that this Ayaat were revealed for the Jews, this does not mean that they are only held upon the Jews and this is from the basic principals of Tafseer as Ibn Jareer at-Tabaaree, is that these verses were intended for Ahl' al-Kitaab and **anyone else who rejects the Hukm that Allaah sent down in His Book.**"

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Also, the word Allaah used in the Ayaah:Menn(i.e.whomever) is the most general form of word, which, according to the rules of the Qur'aan includes everyone who meets the conditional clause in the sentence.²⁵

Imaam Sufyaan ath-Thawri has said about ayaat in Surat ul-Maa'idah, respectively, "The first one is for this nation, the second one is for the Jews and the third one is for the Christians." ²⁶

Imaam Ahmad al-Qurtubi also said, "Ibn Mas'ud and al-Hasan also said, 'It is general in all who do not judge by what Allah sent down, be they Muslims, Jews or any other Kufaar.'²⁷

Allaah says: **"They [Jews and Christians] took their rabbis and their monks to be their lord, beside Allah"**²⁸

Adey bin Hatim, may Allah be pleased with him - who was a Christian and then embraced Islam said: I came to the Messenger of Allah while he was reciting Surah At-Tawbah till he reached this verse: So I said: **'O Messenger of Allah, we never took them as Lords**. The Prophet said: **'Yes (you did), did not they legalese for you that which Allah forbade you, and you forbade it?'** I said: **'yes indeed'**. He said: **'that is worshipping them'**.²⁹

Although they did not prostrate, or bow down to their priests, they followed them and agreed with them in the forbiddance of the permissible and with the enjoining of the forbidden. Allah therefore considered that as making them (their priests) lords and gods, because the obedience in legislation is a form of worship, and must not be for any one except for Allah, since Allah is the only One who can provide legislation. Therefore, anyone who seeks to implement a legislation created by someone other than Allah is in fact a polytheist.

All of this illustrates that whoever legislates for the people besides Allah such as the Rabbis of the Jews, the Monks of the Christians, the MPs, rulers, have indeed set themselves up as a lord to them, and that is enough as a **clear Kufr**.

Imaam Muhammad al-Amin ash-Shanqiti has said about legislating laws and making them,

"By these clear texts which we mentioned before, it reveals with clarity that those who follow

the accursed man-made law which the Shaytaan legislated on the tongues of his allies and supporters in contradiction to what Allah legislated on the tongues of His Messengers, that there is no doubt in their Kufr and shirk except the one whom Allah has robbed of clear sight and blinded Him to His Revelation like them (those who rule by man-made laws).”³⁰

Imaam Muhammad al-Amin ash-Shanqiti also comments in another place in more obvious words:

“To commit shirk in worship is the same as committing Shirk in Hukm (legislation/judgement). There is no difference between the two in any manner. There is no difference between the two in any sense, between he who follows a system and regime other than the system of Allah, or a Tashree` (legislation) other than the legislation of Allah. And he who worships an idol, or prostrates to a false god, there is no difference between the two. They are one and the same; both are Mushrik (idol worshippers) associating partners with Allaah.” ³¹

Imaam Ibn Kathir has said,

“Thus whoever left from the Wise Sharee`ah sent upon Muhammad bin `Abdullah, the Seal of the Prophets and makes judgements to other than it from the abrogated Shareeah [of the past] has become a Kaafir. So how is it for the one who makes judgement to al-Yaasiq and makes it superior over it (the Islamic Sharee`ah)? Whoever did that, then he has already become a Kaafir by consensus of the Muslims.”³²

Allah said: **"Have they other associates who have prescribed another law for them which has not been dispensed by Allah? But for the decisive word (of Allah), a sentence would have been passed amongst them. Surely there is a grievous punishment for the oppressors."**³³

So, you must choose the religion of Allah and His pure legislation, His brilliant light, His straight road. And leave the judgement of the man made deity, a clear disbelief to the lord of the worlds.

Footnotes:

1. “Mustaadrak Al-Haakim”, Vol. 2/313 Al-Haakim said, .This is a Hadeeth whose chain is Saheeh.. And also, Shaykh Naasir Ad-Deen Al-Albaanee approved of this narration. However, as the reader will soon see, it is quite weak indeed.

2. “At-Tafseer”, Vol.2/62

3. Look to “Tah`theeb At-Tah`theeb”, Vol. 6/25

4. Look to “Al-Kamaal fi`Dha`afaa Ar-Rijaaal”, Vol. 7/2569

5. “Al-Da`aafaa Al-Kabeer”, Vol. 4/238

6. “Tah`theeb At-Tah`theeb”, Vol. 6/25

7. Some might ask, “Then why did Al-Haakim say it was Saheeh and why did Adh-Thahaabee agree with him and why did Shaykh Al-Albaanee, may Allaah be pleased with him, classify it as, “...Saheeh upon the conditions of ‘the two Shaykhs (i.e. Bukhaaree and Muslim)?” The reason - and Allaah knows best - is that Hishaam Ibn Hujaayr was actually narrated from by Bukhaaree and Muslim. However, he was replaced in their chains by another person in what Imaam Muslim

narrated through him as well as Imaam Al-Bukhaaree. For example, we find Hishaam in only one narration from Al-Bukhaaree in the Hadeeth of the Prophet Sulaymaan Ibn Dawood , “This night I will go with ninety-nine women...” which is in the Book of Expiation of Oaths (#6,720).

This narration of the Hadeeth includes Hishaam but we find that he was replaced in another narration of this same Hadeeth by Abdullah bin Tawoos in the Book of Marriage (#5,224). And likewise with Imaam Muslim; he only has two Ahadeeth, which contain him in their Sanaad and he does not narrate them except that another man has replaced Hishaam in a different narration of the same Hadeeth. The first narration was the exact same Sanaad and phrasing as what has come from Hishaam in the Hadeeth of the Prophet Sulaymaan (#1,654) and we see that Hishaam is replaced in the very next narration by Abdullah Ibn Tawoos just as he was in the alternate narration by Imaam Al-Bukhaaree (same Hadeeth number as per Imaam Muslim’s format). And the second narration with Hishaam was what has reached us from Ibn Abbaas who said, “Mu’wawiyah said to me, ‘Did you know that I cut (the hair) from the head of the Messenger of Allaah at Al-Marwah with scissors?’ So I said to him, ‘This is an argument in our favour...’” (#1,246) And again, Hishaam is replaced in this Sanaad by Al-Hasaan bin Muslim in the narration which follows it (same Hadeeth number as per Imaam Muslim’s format).

And for a greater discussion on this matter, look to the words of Shaykh Al-Haarawee in “Khulaasit Al-Qaawl Al-***him‘ala Taraajim Rijaal Al-Imaam Muslim”. So it is apparent that Shaykh Al-Albaanee and Al-Haakim saw the name of Hishaam in these chains but did not consider him Dha’eef because they saw that both Muslim and Al-Bukhaaree narrated from him. Yet this is not a certain method of ascertaining whether the narrators are all Saheeh as it is clear that Al-Bukhaaree and Muslim only narrated from Hishaam in those cases where they found other evidence to support what came through him. (And it is known that Al-Haakim would sometimes even call his Hadeeth, “Saheeh upon the conditions of the two Shaykhs”, by merely checking if the names of those men were narrated from by the two Shaykhs, without investigating whether the men whom he is narrating from, even met one another). And this fact is sufficient to demonstrate that the two Shaykhs considered him Dha’eef. And what makes this even clearer is that Ibn Hajr is known to defend the narrators which Al-Bukhaaree narrated from who have been criticized by other scholars of Hadeeth throughout “Fath Al-Baree” and he brings evidence to strengthen their Tawtheeq (i.e. reliability) however, we do not find him defending Hishaam at all and this is further evidence of his weakness.

8. “Tafseer Ibn Jareer”, Vol. 10/355; Hadeeth #12,063

9. Vol. 4/213-214

10. “Tafseer Ibn Jareer”, Vol.10/355; Hadeeth #12,053

11. i.e. Bukhaaree, Muslim, Abu Dawood, Nisaa.ee, Tirmidhee, and Ibn Majaah

12. Look to “Tahthkiraat Al-Hufadh”, Vol. 2/507

13. “At-Taqreeb”, Vol. 1/312

14. This narration from Ibn Jareer actually contains two chains:

The first:

Ibn Abbaas - Tawoos - Ibn Tawoos – Mu’amr Ibnu Rashaad - Sufyaan – Wakee’ah - Hunaad - Ibn Jareer (And this one is Saheeh)

The second:

Ibn Abbaas - Tawoos - Ibn Tawoos – Mu’amr Ibnu Rashaad - Sufyaan – Wakee’ah - Ibnu Wakee’ah - Ibn Jareer (And this one is Dha’eef due to Wakee’ah)

15. “Akhbaar Al-Qudhaat”, Vol. 1/41
16. Look to “Tah’theeb At-Tah’theeb”, Vol. 1/515
17. “Al-Taqreeb”, Vol. 1/505,
18. “Tafseer Ibn Jareer”, Vol.10/355; Hadeeth #12,055
19. “At-Tibyaan Sharh’ Nawaaqith Al-Islam” By Muhammad Ibn Abdul-Wahhaab; explanation and footnotes by Sulaymaan Ibn Naasir Ibn Abdullah Al-Ulwaan, Pg. 38
20. Narrated by Ahmad and others; and Shaykh Naasir Ad-Deen Al-Albaanee, may Allaah be merciful to him called it Hasaan. in “Silsilaat As-Saheeha”, Vol. 6. #2,552.
21. Look to “Iqtidaat As-Siraat Al-Mustaqeem”, Pg. 69
22. Takheem al-Qaw’aneen., Pg. 15
23. Tafseer At-Tabaree., Vol. 4/592
24. Look to .At-Tafseer. Vol. 2/63-64 And the saying of Ibn Jareer here, “...and anyone else who rejects the Hukm that Allaah sent down in His Book”, does not mean that this rejection must come from a belief in the heart in order to be Kufr Al-Akbaar, as the leaders of Irjaa’ in our time have alleged. What is clear from the words of Ibn Jareer, may Allaah be merciful to him, is that the form of ‘Ruling by Other Than What Allaah Revealed’, which the Jews committed - where they replaced the Hukm of Allaah regarding the stoning of the married adulterer with their own fabricated law of whipping and blackening their faces and also the execution of the murderer with their own fabricated law in which, only the commoner would be executed etc. -- is the rejection of the **“...Hukm that Allaah sent down in His Book.”**
25. “Al-Fataawa”, Vol. 15/82 and look to Vol. 24/246
26. “Tafsir Sufyaan ath-Thawri, Akhbaar ul-Qadaa”, beginning at p. 40.
27. V. 5, p. 190 “Jaami`u Li Ahkaam il Qur’an”
28. Surah at-Tawbah: verse 31
29. Narrated by Ahmed and Tirmidhi who classified it as Saheeh.
30. “Adwaa’ ul-Bayaan”, Volume 4, pages 90-92.
31. “Adwaa’ ul-Bayaan, Volume 7, page 162.
32. “Al-Bidaaya wan-Nihaaya”, Volume 13, page 119.

33. surah ash shura, verse 21